

Stop the Murder Trial! Support the Berlin 7!

Prozeßbüro

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**Stop the Murder Trial in Berlin !
Freedom for Fatma, Abidin, Mehmet, Seyho, Carlo,
Erkan and Bazdin !**

- A call for a day of international solidarity activities on behalf of the 7 imprisoned Kurdish, Turkish and German antifascists in Berlin, Germany

Supporters and relatives of the imprisoned seven antifascists and youths are concerned over the fact that the trial might take place behind closed doors. Apparently, the presiding judge, Mrs.Eschenhagen, is contemplating the exclusion of the public throughout the whole trial (see below) .

On September 20th, 1994, one of the biggest trials against antifascists and political-ly organized immigrants since 1945 will start in Berlin. Four Turkish and Kurdish antifascists - Fatma, Abidin, Mehmet and Seyho, one German antifascist, Carlo, and the two youths Erkan and Bazdin - are being charged with alledged "premeditated collective murder".

What happened: In April 1992 a group of fascist cadres from offshoot-organizations of The Republicans, among them functionaries from the German League/The Nationals ("Deutsche Liga/Die Nationalen", an organizational alliance between militant fascists, rightwing conservatives and representatives of the New Right) met in a Chinese restaurant in the Berlin neighborhood of Neukölln. Neukölln is a neighborhood with a high ratio of Turkish, Kurdish and other immigrant citizens. The fascists, among them infamous Nazi lawyer Carsten Pagel - were discussing plans and financing for German fascist expansions in Eastern Europe. By coincidence the meeting was discovered and a spontaneous mobilization to prevent the meeting took place. Outrage existed that in a climate of fascist and racist terror a group of nazi functionaries would meet in the neighborhood. The meeting was attacked by a group of masked people in a spontaneous antifascist action. During the attack, one fascist, Gerhard

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Kaindl, secretary of the German League/The Nationals, was severely hurt with a knife and died subsequently. Another fascist, Thorsten Thaler (Hoffmann-von Fallersleben-Think Tank), was injured. Immediately after the incident, the police, state security forces and the media claimed, that the perpetrators could have only come from Turkish or Arabic circles - even though they were partially masked. A first wave of intense repression was set in motion. A special police commission was established with twenty members. Houses of politically active antifascist Turkish and Kurdish persons were surveilled and raided. The main target of the repression became the Turkish-Kurdish organization "Antifasist Genclik" (Antifascist Youth). For a while in the early 90ies, Antifasist Genclik had been partially succesful in organizing Turkish and Kurdish youth gangs politically and claiming the right to antiracist/antifascist self-defense for immigrants, refugees and other people of color.

From the start of the investigation, certain elements of the police force cooperated closely with the fascists from the German League/The Nationals. Already in October 1992, a representative of the German League/The Nationals admitted, that he was handed a name of alledged perpetrators by the police during a witness interrogation. At this point, the German League announces in their newspaper, that the names and the addresses of the alledged perpetrators can be obtained from their office.

Then, in November 1993, the 18-year old Erkan handed himself to the police, claiming that he participated in the attack on G. Kaindl and that he could give testimony on the other participants. For two weeks Erkan was held by the police without any contact to lawyers. It was during that time, that Erkan made his statements against 10 other people. Shortly after a lawyer was able to visit him, he stopped cooperating with the police. To this day it is unclear what happened to Erkan during those first two weeks in police custody. Erkan has had a history of mental illness. His illness grew worse in prison; over New Years 93/94 he attempted suicide. He was then placed in a psychiatric prison ward and later on declared "unfit for prison" and temporarily released to a closed psychiatric treatment center in Berlin.

Due to Erkan's statements, the police arrested Fatma (22) and Mehmet (32) in November 1993. Two days after their arrests Abidin (34) handed himself to the police. Two weeks later, Bazdin (20) was arrested. Bazdin also cooperated with the police and gave statements against the other 10 accused. In July 1994, another Kurdish antifascist, Seyho, handed himself to the police and in August 1994, the German antifascist Carlo also gave himself up to the police. Both of them have not given any testimony to the police. They are facing the same charges as the other five and will be put on trial with them. Beyond that the police is still searching for four more Kurdish, Turkish and German antifascists. During the arrests of Fatma and Mehmet, police threatened their relatives and friends. Especially for Fatma, the racist special treatment has continued in jail, where she was held in isolation for the first 3 months. In April 1994, the state prosecutor Mrs. Nielsen handed down the indictment. The indictment is based exclusively on the testimony of Erkan and Bazdin.

The Trial

Judge Eschenhagen has announced the beginning of the trial for September 20th. The trial is scheduled to last at least until the end of 1994 and will take place in the

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high security ward of the court house - with glass cages in the courtroom for the accused etc.. The seven accused are facing a life sentence (up to 20 years in jail) and deportation to Turkey afterwards. At this point Judge Eschenhagen is contemplating the exclusion of the public from the courtroom throughout the whole trial. That would mean that no one would be able to enter the courtroom - except for the three judges, the state prosecutor, the seven imprisoned accused and their lawyers as well as the fascist witnesses. The media, any human rights activists and international observers as well as the relatives and supporters of the accused would be barred from observing the trial.

In a trial,

- * where the state prosecution will rely heavily on the statements of the two crown witnesses Bazdin and Erkan,

- * where certain elements of the investigation forces, the Berlin police and the Secret Service, have cooperated with the fascists from the German League/The Nationals,

- * where the charges could result in sentences up to life imprisonment and extradition to Turkey afterwards, the contemplations of the presiding judge, Mrs. Eschenhagen, are a cause of grave concern to the accused and their supporters and relatives.

Fascist terror and the state's complicity

Since 1990, fascists and racists have killed at least 75 people - immigrants, refugees, homeless, disabled and young antifascists - in Germany; thousands of attacks and fire-bombings have been aimed particularly at immigrants and refugees as well as against the small Jewish community. In 1991/1992 i.e., the pogrom in Hoyerswerda took place, Mete Eksi, a Turkish youth was killed on the streets by racists in Berlin. The situation was and has been escalated to a point where internationally reknown Jewish writer Ralf Giordano publicly called on all Jewish people and other victims of fascist terror to arm themselves, because they could not rely on the German state for protection.

The media and the government have been and are fueling a racist and fascist ideology; the daily terror is being down-played and the victims are being blamed - by the color of their skin or their nationality they are being turned into scapegoats. The government is using the fascists in order to create a climate of overboarding nationalism and chauvinism. Similarly elements of the governing parties openly support German revisionism and rewriting of history , questioning the borders to Poland again for example.

Despite the unabated wave of racist and fascist murders and terror the German government, state forces and media have declared so-called "organized crime by foreigners", immigrants, refugees, leftists and all others who stand up against racism and fascism to be the "inner enemy", threatening the order and security of the German state. In contrast the murderers of immigrant women and children in Mölln or Solingen are being called "lost youths", "drunk at the time of their action" and the "losers of German reunification" and dealt with accordingly with mere slaps on their wrists.

At this point all elements of the German state are acting in complicity with organized fascists:

During the pogroms in Hoyerswerda, Rostock and Magdeburg, German police looked on while a racist mob chased people of color in the streets or actively took side with the fascists, by arresting refugees and immigrants who dared to defend themselves.

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Racism within the state security forces is fashionable and accepted:

In Berlin and the state of Brandenburg, at least 15 Vietnamese citizens were systematically tortured in several police precincts - cigarettes were extinguished on their bodies, plastic bags were placed over their heads and they were threatened with death and rape.

The Jewish community of Berlin has stated publicly that they do not feel protected against the growing wave of antisemitic attacks by a police that often refuses to even record complaints.

The German justice system has a fascist continuity and continues along these lines: One of many examples is the case of former Weapon SS-major general Wilhelm Mohnke. Mohnke (82) was responsible for the deaths of hundreds of allied prisoners of war and the defense of the Führerbunker in 1945. Even though in 1994 British officials released further evidentiary material, the German state prosecutor has refused to open a case for the last 49 years.

Meanwhile a German court in 1992 sentenced the 76-year old antifascist Gerhard B"gelein to life in prison for having allegedly killed a former Wehrmacht judge in a Soviet prison camp in 1947 - despite the fact, that no direct evidence existed. Gerhard B"gelein died in 1993 due to the consequences of his imprisonment.

Berlin is just one example for a city where members of the government apparatus are closely cooperating with organizations of the New Right. The latest scandal in a long chronic: Hans-Ulrich Bonfert, spokesperson for Christian Democrat Senator of the Interior Heckelmann, attended open and internal strategy meetings with representatives of circles from the Republican Party and the German League/The Nationals. The consequences have been mild: Bonfert has been placed on a different position inside the state apparatus. Senator Heckelmann, responsible for the oversight of the police apparatus, i.e. also for the special police commission on G. Kaendl's death, the state security apparatus and the secret service, had to hand the secret service over to Berlin's Christian Democratic mayor.

What does this trial mean ?

The charges are sending a clear message: Do not dare to intervene against fascists and racists or otherwise you will be charged with murder or attempted murder.

Any attempts of refugees and immigrants for political self-determination and autonomous organization is being threatened with criminalization - be it antifascist immigrant organizing or support for the Kurdish liberation struggle.

The trial will take place during the "hot phase" of the national general elections. Already, the governing parties CDU/CSU and FDP are campaigning on "Law and Order" slogans and the demand for a strong state with severely limited civil rights, especially for immigrants and refugees as well as the radical left opposition. The trial is to serve as an example in that strategy.

Remember:

* This trial is the result of a campaign by state forces to criminalize mainly immigrant antifascists and their organizing for self-determination and self-defense in a country

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where racist and fascist terror is being openly supported by the state and where fascists killers are being dealt with as "apolitical youth".

* It is rather evident that certain elements of the police have cooperated with the fascists from the German League/The Nationals during the investigation of G. Kaindl's death.

* The German League/The Nationals is not just one fascist organization among many, but a link between the parliamentary wing of the fascist Right and the militant right-wing terror scene.

* The trial is one in a row of trials against active antifascists and it is being used to intimidate the whole antifascist movement as well as to split the movement along the lines of "militant self-defense versus trust in the state forces".

* The indictment charges ten people with "premeditated collective murder". Thereby, no individual evidence has to be presented for the court to declare everyone who was present at the scene guilty.

* The indictment is based exclusively on the statements of two youths, and one of them has a history of mental illness.

Do not leave Fatma, Abidin, Mehmet, Seyho, Carlo, Erkan and Bazdin in the hands of the German "justice" system !

Protest at your local German institution - consulate, embassy, chamber of commerce, Goethe Institute, German banks and multinationals, etc. on September 19th !

Write letters of protest and support to state prosecutor Nielsen.

Send faxes of solidarity (49-30-39792010) on the first day of the trial, September 20th to the court addressed to Judge Eschenhagen !

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